



JUL 29 2003
TECH CENTER 1600/2900
Docket No. 1919/62814-A/JPW/GJG/ACK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Timothy Norris et al.

Serial No.: 09/711,272 Examiner: T. McKenzie

Filed : November 9, 2000 Group Art Unit: 1624

Title : STABLE POLYMORPH OF N-(3-ETHYNYLPHENYL)-6,7-BIS (2-METHOXYETHOXY)-4-QUINAZOLINAMINE HYDROCHLORIDE, METHODS OF PRODUCTION, AND PHARMACEUTICAL USES THEREOF

1185 Avenue of the Americas
New York, New York 10036
July 25, 2003

Mail Stop Issue Fee
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESUBMISSION AND REQUEST FOR CONSIDERATION OF INFORMATION
DISCLOSURE STATEMENT REFERENCES

Applicants are resubmitting the listed two (2) references and request that the Examiner acknowledge that they have been considered on Form PTO-1449 attached as **Exhibit A**. English language abstracts of the listed (2) references were previously submitted along with other references in an Information Disclosure Statement on May 28, 2003. However, the Examiner alleged that the wrong documents were submitted and drew a line through the citation of these two references on Form PTO-1449 (**Exhibit B**) returned to applicants with the June 18, 2003 Notice of Allowability.

Applicants point out that the Examiner has previously considered the English language U.S. counterpart of item 1 below, namely U.S. Patent No. 5,948,784. Similarly, the

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Examiner has also previously considered the English language European counterpart of item 2 below, namely EP 0 566 226.

1. Japanese Patent No. JP 9165385, filed August 25, 1995 (English language abstract and counterpart U.S. Patent No. 5,948,784, previously submitted and considered by Examiner) (**Exhibit 1**); and
2. New Zealand Patent No. NZ 0245662, filed January 15, 1993 (New Zealand abstract and counterpart EP 0 566 226, previously submitted and considered) (**Exhibit 2**).

Applicants request that the Examiner review the references and make them of record in the subject application which is allowed.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

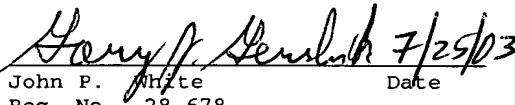
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No fee is deemed necessary for the filing of this Resubmission. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

 7/25/03
John P. White Date
Reg. No. 28,678
Gary J. Gershik
Reg. No. 39,992

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Sheet 1 of 1

Form PTO-1449

**U.S. Department of Commerce
Patent and Trademark Office**

Atty. Docket No.
62814-A
JPW/GJG/ACK

Serial No.

INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

Applicants

Timothy Norris et al.

Filing Date November 9, 2000	Group 1624
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U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

***EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449		U. Department of Commerce Patent and Trademark Office	Atty.cket No. 62418-A/JPW/GJG	Serial No. 09/711,272
 INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)		Applicants Timothy Norris et al.	Filing Date November 9, 2000	Group

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS										
		Document Number			Date	Country	Class	Subclass	Translation	
		Yes	No							
TM		8	0	9	9	9	6	2	7/15/93	JP
		9	1	6	5	3	8	5	8/25/95	JP
TM		9	2	2	1	4	7	8	2/4/97	JP
		0	2	4	5	6	6	2	1/15/93	NZ
TM		9	6	2	8	4	3	0	9/19/96	WO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Wrong documents submitted

EXAMINER *W. W.* DATE CONSIDERED *4/9/03*

***EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Exhibit A